



City of Seattle

Gregory J. Nickels, Mayor
Department of Design, Construction and Land Use
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

Application Number: 2208520
Applicant Name: Debora Goodman
Address of Proposal: 1817 E Union St

SUMMARY OF PROPOSED ACTION

Master Use Permit to divide one parcel into five lots (unit subdivision). Proposed lot sizes are: A) 2,653 square feet, B) 1,050 square feet, C) 1,046 square feet, D) 1,055 square feet; and E) 1,729 square feet. Parking for five vehicles is to be provided on Unit Lot A. Related project: Construction of five attached townhouses has been reviewed and approved under Project No. 9900742.

The following approval is required:

Short Subdivision - to subdivide one existing parcel into five lots as a unit subdivision.
(Chapter 23.24, Seattle Municipal Code).

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading, or demolition, or
involving another agency with jurisdiction.

BACKGROUND DATA

Site & Area Description

The 7,533 square foot property is located on the south side of E. Union Street, between 19th Avenue and the alley to the west of 19th Avenue. Access to the site is via the 16-foot improved

alley. There are existing curbs and sidewalks along E. Union St. and along 19th Ave. There are five attached townhouses on the site. There are a variety of trees located around the perimeter of the site, including a 30-inch maple in the planting strip along 19th Ave. The site is not located in any identified or designated environmentally critical area.

The subject property and properties to the immediate west, across the alley, and to the east, across 19th Avenue, are zoned Multi-family Lowrise 3 (L-3). Properties to north, across E. Union Street, are zoned Neighborhood Commercial (NC 1-30). Property immediately to the south is zoned Single family residential (SF5000). E. Union Street is classified as an arterial street. Development in the area consists of multi-family structures and one and two-story single-family houses of varying age and architectural styles consistent with the zoning designations.

Proposal Description

The proposal is to subdivide one parcel into five unit subdivision lots with vehicle access provided from the alley to the west. A single parking space for each of the townhouse units will be provided on Unit Lot A via a parking easement. A utilities easement is provided along the north nine feet of each of the unit lots and along the easternmost ten feet of Unit Lot E. Proposed lot sizes are as indicated in the summary above. The lots have direct pedestrian access to E. Union Street. Easements for emergency egress from the rear of the townhouses have been provided for unit lots B, C, and D.

Note that the construction of the townhouse units was reviewed for consistency with the applicable provisions of the Seattle Municipal Code under a separate permit (No. 9900742). The subject of this analysis and decision is only the proposed division of land.

Public Comments

The comment period for this proposal ended on January 1, 2003. During the public comment period, DCLU received no written comments.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following facts and conditions are found to exist:

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas.*
6. *Is designed to maximize the retention of existing trees*
7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

Based on information provided by the applicant, referral comments from the Land Use Plans Examiner, the Drainage Section, the Fire Department, Seattle Public Utilities (City Light and the Water Department), and review by the Land Use Planner, the following findings are made with respect to the above-cited criteria:

1. The subject property is zoned for multi-family residential use. The allowable density of the subject property is one unit per 800 sq. ft. of lot area. Given a lot area of approximately 7,500 square feet, nine units are allowed and five were proposed and approved. Maximum lot coverage is 50%. Front setbacks are an average of the neighboring adjacent lots, the maximum setback is fifteen (15) feet and the minimum is five (5) feet. The minimum side setback is five (5) feet; the actual required setback is based on the height of the structure adjacent to the side property line. Minimum rear setback is twenty-five (25) feet or twenty (20) percent of the lot depth, in no case less than fifteen (15) feet. The existing trees located on the site must either be preserved or new trees must be planted, consistent with the requirements of the City's landscape regulations (SMC 23.45.015). The lots to be created by this unit subdivision may not individually meet all of the zoning requirements of the Lowrise 3 zone including setbacks, density, and structure width and depth, consistent with the provisions of SMC 23.24.045. However, the development when considered as a whole meet all standards of the set forth in the Land Use Code.
2. The lots are provided vehicular access directly to the alley and thereby to E. Union Street, consistent with the requirements of the Code. The Seattle Fire Department has no objection to the proposed short plat. All private utilities are available in this area. Seattle City Light provides electrical service to the proposed short plat. City Light reviewed the proposal and does require an easement to provide for electrical facilities and service to the proposed lots in addition to the utility easement identified on the proposed short plat. This short plat provides for adequate access for vehicles, utilities, and fire protection.
3. This area is served with domestic water, sanitary sewer, and storm drain facilities by the City of Seattle. Availability of service is assured subject to standard conditions of utility extension. The Short Plat application has been reviewed by Seattle Public Utilities and a Water Availability Certificate was issued December 12, 2002. Drainage review has been conducted and approved in conjunction with the development project.

Connection to the PSS has been provided via an issued sidesewer permit. Stormwater and plan review requirements were made at the time of building permit application.

4. The proposed short subdivision is consistent with minimum Land Use Code provisions. Address signage has been attached to each of the townhouse units such that addresses for all units are visible from E. Union Street. The proposed development has adequate access for vehicles, utilities and fire protection, and has adequate drainage, water supply and sanitary sewage disposal. Therefore, the public use and interests are served by permitting the proposed subdivision of land while also maintaining the character of the neighborhood. The proposal meets all applicable criteria for approval of a short plat as discussed in this analysis.
5. This site is not an environmentally critical area as defined in SMC 25.09.240. There are no environmentally critical areas mapped or otherwise observed on the site.
6. There are four 10-inch trees on the property. These trees were preserved during the construction development on site.
7. The applicant has completed construction of a 5-unit townhouse structure on the subject site. Pursuant to SMC 23.24.045(B), sites developed or proposed to be developed with townhouses, cottage housing, clustered housing, or single-family housing may be subdivided into individual nonconforming unit parcels if development as a whole on the parent lot meets applicable Land Use Code development standards. To assure that future owners have constructive notice that additional development may be limited due to nonconformities; the following statement shall be required to be included as a note on the final short subdivision: *The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code.*

The conformance of the proposed development as a whole with the applicable Land Use Code Provisions was reviewed under Permit Number 9900742. These provisions include, but are not limited to, setback, lot coverage, building height, usable open space, landscaping, and parking requirements. Consistent with Section 23.24.045(C), additional development of the proposed lots may be limited. Subsequent platting actions, or additions or modifications to the structure(s) may not create or increase any nonconformity of the parent lot. Consistent with Section 23.24.045(D), access easements and joint use and maintenance agreements shall be executed for shared walls on property lines, and driveway and pedestrian access. Therefore, the proposed short subdivision conforms to the provisions of Section 23.24.045 for Unit Lot Subdivisions.

SUMMARY - SHORT SUBDIVISION

This unit subdivision is provided with vehicular access, and public and private utilities and access, including emergency vehicles. Adequate provisions for water supply and sanitary sewage disposal have been provided for each lot and service is assured, subject to standard conditions governing utility extensions. Adequate provisions for drainage control have also been provided.

DECISION - SHORT SUBDIVISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

CONDITIONS - SHORT SUBDIVISION

Conditions of Approval Prior to Recording:

The owner(s) and/or responsible party(s) shall:

1. Have final recording documents prepared by or under the supervision of a Washington state licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown. Lot areas shall be shown on the plat. All existing structures, principal and accessory, shall be shown on the face of the plat, and their distances to the proposed property lines dimensioned.
2. Submit the final recording forms for approval and any necessary fees.
3. Include an easement to provide for electrical facilities and service to the proposed lots as required by Seattle City Light (aka Exhibit A) on the final Short Subdivision.
4. Insert the following on the face of the plat: "The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code."
5. Provide an emergency egress easement from the yards on the south sides of Unit Lot B, C and D which connect either to a public right-of-way or to another easement which in turn connects to a public right-of-way. Show the easement on the plat and include a description of the easement in the legal descriptions. Note on the face of the plat that "any fence which crosses the emergency egress easement must either provide a gate or be no more than 44 inches high at the place where it crosses the easement."

6. Provide a joint maintenance and responsibility agreement for maintenance and use of shared walls on property lines and all ingress, egress and utility easements, if necessary.

Signature: _____ (signature on file) Date: May 5, 2003

Michael M. Dorcy

Land Use Planner

Department of Design, Construction and Land Use,

Land Use Services

MMD:bg

H:\dorcym\Doc\Decision 2208520